

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

Hand-Delivered

ASHEVILLE DIVISION

WILLIAM C. BURNHAM
PLAINTIFF

VS.

MISSION HOSPITAL
DEFENDANT

CIVIL ACTION NO.

1:18-cv-85

FILED
ASHEVILLE, N.C.

APR 02 2018

U.S. DISTRICT COURT
W. DIST. OF N.C.

JURISDICTION OF THIS COURT IS INVOKED PURSUANT
TO 29 U.S.C. SEC. 794 (A) THE REHABILITATION ACT. THE
AMERICANS WITH DISABILITIES ACT 42 U.S.C. SEC
12101. THIS ACTION IS FOR INJUNCTION AND DECLA-
TORY JUDGEMENT ONLY. PLAINTIFF SEEKS NO MONEY
OR ATTORNEY FEES.

VENUE IS PROPER IN THE WESTERN DISTRICT
OF NORTH CAROLINA ASHEVILLE DIVISION WHERE
THE ACTS AND OMISSIONS OCCURED. IN
~~BUNCOMBE~~ BUNCOMBE COUNTY ASHEVILLE NORTH CAR-
OLINA. ALSO DEFENDANT IS LOCATED IN THIS
DIVISION AND PLAINTIFF IS LIVING HOMELESS.
(PARTIES SEE BACK OF THIS PAGE)

PARTIES

PLAINTIF: WILLIAM C. BURNHAM, MAY BE SERVED
WITH ALL RESPONSIVE PLEADINGS AND OR COURT DOCUMENTS
TO THIS CIVIL ACTION AT U.S. POST OFFICE
GENERAL DELIVERY OTEEN BRANCH ASHEVILLE, N.C.
28805

DEFENDANT: MISSION HOSPITAL 509 BILTMORE
AVENUE, ASHEVILLE, N.C. 28801. ATTN: REGISTERED
AGENT CORPORATION LOCATION.

DEFENDANT MISSION HOSPITAL IS A RECIPIENT OF FEDERAL FINANCIAL ASSISTANCE VIA MEDICARE AND MEDICADE PAYMENTS FROM THE U.S DEPARTMENT OF HEALTH AND HUMAN SERVICES. ALSO IT RECEIVES SUPPORT FROM CDC IN THE FLU OUT BREAKS, ALSO IT IS A 501 C 3 ORGANIZATION.

IN REGARD TO THE AFOREMENTIONED MISSION HAS AGREED TO COMPLY WITH CIVIL RIGHTS OF NONDISCRIMINATION AND THE AMERICANS WITH DISABILITIES ACT.

DEFENDANT AS A 501 C 3 ORGANIZATION ALTHOUGH NOT ACTIONABLE IN A U.S. DISTRICT COURT BY PLAINTIFF IS PRESAIVE TO THE FACTS IN THIS CASE. DEFENDANT HAS DISCRIMINATED AGAINST PLAINTIFF AS COMPARED TO OTHER SIMARLLY SITUATED PERSONS IN DENYING HIM ACCESS TO THE PARTS OF THE COMPLEX HOUSE RECORDS AND GREVENCE PROCEDURES AND CAFATURE THAT IS OPEN TO THE PUBLIC BY TELLING HIM HE WOULD BE ARRESTED.

PLAINTIFFS ADA CLAIMS AMERICANS WITH DISABILITIES ACT 42 U.S.C. SEC 12101 ARE SIMPLE AND ON POINT. (A) PLAINTIFF IS A QUALIFIED INDIVUAL WITH A DISABILITY SEVER MOBILITY

INPAIRMENTS AND MUST USE AMBULATORY DEVICES FOR MOBILITY. HOSPITALS SUCH AS MISSION HAVE MANY U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION DISABILITY RIGHTS SECTION TECHTICAL ASSISTANCE MANUALS FOR GUIDENCE SPECIFILY FOR HOSPITAL SETTINGS.

HOSPITAL AND MEDICIAL FACILITIES SHOULD AND HAVE BEEN HELD TO A HIGH STANDARD FOR ADA ACCESSIBILITY DUE TO THE MUCH GREATER CHANSE OF DISABLED NEEDING ACCESSIBILITY.

IN THE CASE OF MISSION WERE THE U.S. DEPARTMENT OF JUSTICE'S ANT TRUST DIVISION HAS ALLOWED A CORPATION TO TAKE OVER AN ENTIRE COUNTY AND CITY'S HOSPITAL SYSTEM THEY HAVE TAKEN THE COMPETIVENESS OUT. AND THE DENIAL OF ADA RIGHTS ARE MORE LIKELY.

PLAINTIFF HAS BEEN DISCRIMATED AGAINST BY MISSION HOSPITAL IN THE FULL ENJOYMENT OF IS MEDICIAL SERVICES BY

NON COMPLIANCE WITH THE ADA AND THE
[REDACTED] ADA STATORY GUIDELINES. IN NON-
COMPLIANCE WITH THE PROPORTION OF
DISABLED PARKING SPACES WHEN TAKEN
OUT OF THE ENTIRE NUMBER OF PARKING
SPACES.

SLOPES ENTERING THE ER DEPT ON WHEEL-
CHAIR RAMP ARE NOT WITHIN COMPLIANCE.

THERE IS NO ACCESSIBLE ROUTE OF TRAVEL
FOR DISABLED PATRONS GOING TO THE
EMERGENCY DEPARTMENT.

THE AREA WHERE RECORDS ARE HOUSED ARE
SO NARROW PLAINTIFF COULD NOT EVEN
GET OUT OF WHEELCHAIR AND GO ON
CRUTCHES I MEAN WHAT THE HELL DID
CONGRESS PASS THE LAW FOR.

THERE ARE SO MANY MORE VIOLATIONS
PLAINTIFFS HAND WANT EVEN HOLD OUT
TO WRITE THEM.

IN REGARD TO PLAINTIFFS INJUNCTION PLEADING RELIEF LET HIM CLEARLY PLEAD THE FOLLOWING.

PLAINTIFF HAS BEEN DISCRIMINATED AGAINST BY DEFENDANT IN REGARD TO ACCESSIBILITY AT MISSION HOSPITAL IN ASHEVILLE NORTH CAROLINA.

ACTS AND OMISSIONS OCCURED ON OR ABOUT MARCH 12TH 2018.

PLAINTIFF IS POSITIVE HE WILL RETURN TO SEEK SERVICES, RECORDS, AND FILE COMPLAINT IN THE FUTURE. PLAINTIFF HAS SUFFERED INREPALED HARM

RELIFE

AN INJUNCTION TO CORRECT ACCESSIBILITY UNDER THE ADA.

AN INJUNCTION TO SEEK RECORDS PLAINTIFF HAS RIGHT TO WITHOUT THE THREAT OF ARREST AND EAT AT THE CAFATERY.

A DECLARTORY JUDGEMENT PLAINTIFF RIGHTS WERE VIOLATED.

PLAINTIFF WILLIAM C. BURNHAM IS AN INTENDED BENEFICIARY OF THE FEDERAL FINICIAL ASSISTANCE MISSION HOSPITAL BECAUSE HE HAS MEDICARE PART A & B.

DEFENDANT MISSION HOSPITAL IS A DOCUMENTED MEDICAL PROVIDER FOR THOES WHO HAVE MEDICARE.

DEFENDANT MISSION HOSPITAL IS ALSO A PROVIDER OF MEDICADE WHICH IS ADMISTERED BY THE STATE OF N.C. BUT IS IN PART FUNDED BY THE FEDERAL GOVERNMENT.

PLAINTIFF RECALLS 1 CASE WHERE A GRANT FROM THE FEDERAL GOVERNMENT TO FIX A RAIL ROAD CROSSING MADE THE RAIL ROAD COMPANY A RECEIPIENT OF FEDERAL FINICIAL ASSISTANCE.

THE DEFENDANT ALSO RECEIVES BLOCK GRANTS, AND OTHER GRANTS. THAT OR IN PART OR WHOLE THAT FEDERAL FUNDED.

ADDITIONAL PLEADING FOR 29 U.S.C.
SEC 794 (A)

THE UNDERSIGNED DECLARES UNDER PENALTY OF
PERJURY HE IS PLAINTIFF AND ALL IS TRUE AND
CORRECT 28 U.S.C. SEC 1746 AND 18 U.S.C. SEC
1621

WILLIAM C. BURNHAM

William C. Burnham

APRIL 2 2018